

CITY COUNCIL AGENDA

APRIL 21, 2015

AMENDED AGENDA

CHAPPIE JONES
ASH KALRA
RAUL PERALEZ
MARJORIE MATTHEWS
MAGDALENA CARRASCO

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SAM LICCARDO MAYOR

PIERLUIGI OLIVERIO
TAM NGUYEN
ROSE HERRERA VICE MAYOR
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Community & Economic Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Neighborhood Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation & Aviation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 7 p.m. as needed, unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=3549>. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
 - * 9:00 a.m. - Closed Session, Call to Order in Council Chambers
Open Session, Labor Negotiations Update (See Item 3.2)
Adjourn to Closed Session in Council Chambers Conference Room, W133
See [Separate Agenda](#)
 - 1:30 p.m. - Regular Session, Council Chambers, City Hall

- **Invocation (District 4)**

- **Pledge of Allegiance**

- **Orders of the Day**

* Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to Esther Mota for her hard work in the design and success of the Mayor's Gang Prevention Task Force. (Carrasco)
* (Rules Committee referral 4/15/15)
- 1.2 Presentation of a proclamation declaring April 22, 2015 as Earth Day in the City of San José and honoring the Friends of Los Gatos Creek/Guadalupe River and Restore Coyote Creek for living out the vision of Earth Day throughout the year. (Mayor)
* (Rules Committee referral 4/15/15)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

2.2 Final Adoption of Ordinances.

Recommendation: Final adoption of ordinances.

- * (a) ORD. NO. 29547 – Amending Section 11.08.101 of Title 11 of the San José Municipal Code to update the Title of the Director of Transportation and amending Section 11.16.100 of Chapter 11.16 of Title 11 and repealing Section 11.72.180 of Title 11 relating to the creation of bicycle lanes. CEQA: Not a Project, File No. PP10-068(c), Code or policy change that involve no changes in the physical environment. (Transportation)

2.3 Approval of Council Committee Reports.

* **Recommendation:** Approval of Council Committee Reports.

- (a) Community and Economic Development Committee Report of March 23, 2015. (Khamis)

DROP

- (b) [Rules and Open Government Committee Report of April 1, 2015](#). (Mayor)
CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2. CONSENT CALENDAR

2.7 [Naming of the New Library Located at 4001 Evergreen Village Square.](#)

* **Recommendation:**

- (a) As recommended by the Library and Early Education Commission, name the new library at 4001 Evergreen Village Square as John J. Montgomery Village Square Library.
- (b) Alternatively, name the new library at 4001 Evergreen Village Square as the Village Square Library.

CEQA: Not a Project, File No. PP10-069(c), Organizational Activities. (City Clerk)
(Deferred from 12/16/14 – Item 2.16, 1/13/15 – Item 5.1 and 3/24/15 – Item 2.7)

2.8 [Amendment to the Lease of Airport Premises Agreement with Menzies Aviation USA, Inc.](#)

Recommendation: Approve a [Second Amendment](#) to Lease of Airport Premises Agreement with Menzies Aviation (USA), Inc. to extend the term to June 30, 2018, with total annual revenue to the City of approximately \$60,000. CEQA: Not a Project, File No. PP10-066(f), Lease of equipment or existing space for the same use. (Airport)

2.9 [Police and Fire Department Retirement Plan Board Public Member Appointment.](#) [Application](#) [Code Review](#) [Conflict of Interest](#)

Recommendation: Appoint Drew Lanza as a Public Member on the Board of Administration for the Police and Fire Department Retirement Plan to a term ending April 30, 2019. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Clerk)

2.10 [District 10 SAP Grant to Andres Castillero Middle School Education Foundation.](#)

Recommendation: As recommended by the Rules and Open Government Committee on April 8, 2015, approve a grant of \$500 to the Andres Castillero Middle School Education Foundation, to be paid from the budgeted District 10 SAP Center at San José allocation, which is funded by the Arena Community Fund City-wide appropriation. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (Khamis)
[Rules Committee referral 4/8/15 – Item G(3)]

2.11 [Building Inspection Staffing.](#)

- * **Recommendation:** As recommended by the Rules and Open Government Committee on April 8, 2015, direct the City Manager to bring forward recommendations for pay and classification changes for building inspectors that will bolster the ability of the Department of Planning, Building and Code Enforcement to retain and attract high-caliber members of our Building Inspection Division team. CEQA: Not a Project, File No. PP10-069(b) Personnel Related Decisions. (Mayor)
[Rules Committee referral 4/8/15 – Item G(4)]

2. CONSENT CALENDAR

2.12 [Agreement with Cupertino Sanitary District of Santa Clara County for Joint Use Sanitary Sewers.](#)

- * **Recommendation:** Approve an [Agreement](#) with Cupertino Sanitary District of Santa Clara County for construction, operation and maintenance of joint use sanitary sewers, for the term retroactive from July 1, 2010 through June 30, 2034. CEQA: Not a Project, File No. PP10-066(a), Cooperative Purchase of Supplies, Equipment and Professional Services with no changes to in the physical environment. CEQA: The Envision San José 2040 Final Program Environmental Impact Report (adopted by City Council Resolution No. 76041 on November 1, 2011) as addended by the Sanitary Sewer Master Plan Phase II and Phase I Update, File No. PP12-076. (Public Works)

2.13 [SB 11 and SB 29 \(Beall\) – Behavioral Health Training for California Peace Officers.](#)

Recommendation: As recommended by the Rules and Open Government Committee on April 8, 2015, consideration of a support position for SB 11 and SB 29 (Beall), pertaining to behavioral health training for California peace officers. CEQA: Not a Project, File No. PP10-069(d), Legislative Positions. (Rocha)
[Rules Committee referral 4/8/15 – Item G(6)]

2.14 [AB 1335 \(Atkins; Principle Co- Authors: Chau, Chiu, and Gordon\) – Building Homes and Jobs Act.](#)

Recommendation: As recommended by the Rules and Open Government Committee on April 15, 2015, approve a support position for AB 1335 (Atkins) – Building Homes and Jobs Act. CEQA: Not a Project, File No. PP10-069(d), Legislative Positions. (Housing)

- * [Rules Committee referral 4/15/15 – G(3)]

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Interim City Manager, Norberto Dueñas (Verbal Report).

3.2 Labor Negotiations Update.

- * **Recommendation:** Accept Labor Negotiations Update.
TO BE HEARD AT 9:00 A.M.

3.3 [Report on Request for Proposal for Crime and Mobile Predictive Analytics Software System.](#)

Recommendation:

- (a) Accept the report on the Request for Proposal for a Crime and Mobile Predictive Analytics Software System.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.3 Report on Request for Proposal for Crime and Mobile Predictive Analytics Software System. (Cont'd.)

Recommendation:

- (b) Adopt a resolution authorizing the City Manager to:
 - (1) Negotiate and execute an Agreement with Advanced Public Safety, Inc., doing business as The Omega Group (Deerfield Beach, FL) for the purchase of a Crime and Mobile Predictive Analytics Software System, including software cloud subscription services, training and related professional services, for an initial five-year term ending February 2020, with a maximum compensation not-to-exceed \$121,954 for the initial twelve months of the Agreement, and an estimated \$443,554 for the five-year term, subject to the annual appropriation of funds;
 - (2) Execute change orders to cover any unanticipated changes or requirements, for a not-to-exceed contingency amount of \$20,000, subject to the appropriation of funds; and
 - (3) Execute ten one-year options to extend the term of the Agreement to provide ongoing cloud subscription and content services after the initial five-year term at an estimated annual cost of \$80,400 that may be adjusted each year up to 3% upon justification by vendor and acceptance by the City, subject to the annual appropriation of funds.
- (c) Approve a [Second Amendment](#) to the Agreement with Corona Solutions for “Ops Force: Discover” to extend the term for nine months, retroactive from April 1, 2015 through December 31, 2015, and to increase the maximum compensation in an amount not to exceed \$38,168 for the extended term, for a total contract amount not to exceed \$524,657, in order to allow time for the implementation and transition to the new predictive analysis system as recommended above.

CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts. (Finance)

3.4 [Peddler Permit Fee and Business License Tax Certificate Fee for Fixed and Mobile Street Vendors.](#) [Supplemental](#)

Recommendation: As recommended by the Rules and Open Government Committee on April 1, 2015, direct the City Manager to:

- (a) Suspend enforcement of the "Peddler Permit Ordinance" (outdoor vending from public property) in Title 6 and various sections of Title 20 related to outdoor vending from private property until such time as ordinances revising the Peddler Permit Ordinance and Title 20, brought forward by staff following community engagement, go into effect; and
- (b) Develop and set a permit education and compliance multi-agency (County Health Department) workshop to bring vendors into compliance.

CEQA: Statutorily Exempt, File No. PP10-066(d), CEQA Guidelines Section 15262, Feasibility and Planning Studies. (Mayor/Carrasco/Nguyen)

[Rules Committee referral 4/1/15 – Item G(5)]

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TO BE HEARD NO EARLIER THAN 4:00 P.M.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Five Year 2015-20 Consolidated Plan and the FY 2015-16 Annual Action Plan.

Recommendation: Conduct a Public Hearing on the draft Five Year (2015-20) Consolidated Plan and the FY 2015-16 Annual Action Plan, as required by the U.S. Department of Housing and Urban Development in order to receive federal housing and community development funding. CEQA: Not a Project, File No. PP10-069(a), Annual Report. (Housing)

4.2 Rezoning the Real Property Located North of Charter Park Drive, Approximately 650 Feet South of Hillsdale Avenue.

* **Recommendation:**

- (a) Adopt a [resolution](#) adopting the Negative Declaration for Rezoning Project C15-002; and
- (b) Consider an [ordinance](#) rezoning the real property located north of Charter Park Drive, approximately 650 feet south of Hillsdale Avenue (3591 Charter Park Drive) from IP(PD) Planned Development Zoning District to IP Industrial Park Zoning District to allow industrial uses on an approximately 1.50 gross acre site. CEQA: Negative Declaration to be adopted, File No. C15-002. (Planning, Building and Code Enforcement)
C15-002 – District 10

4.3 General Plan Text Amendment and Communications Hill Specific Plan Amendment Related to the Real Property at 2829 Monterey Road. Conflict of Interest

Recommendation: Denial of General Plan Amendment and Communications Hill Specific Plan Amendment to change the Land Use/Transportation Diagram designation from Heavy Industrial to Urban Residential and increase the amount of allowable residential units in the Communications Hill Specific Plan, on a 7.50 gross acre located at 2829 Monterey Road (The Wolff Company, Owner). In the alternative, refer to staff to complete CEQA review and include the proposed amendments for consideration as part of the annual General Plan Amendment cycle for 2015. CEQA: Statutory Exemption, Section 15270. Planning Commission recommends denial (6-0-0). (Planning, Building and Code Enforcement)
GP14-011 - District 7

4.4 Amendment to Title 23 Sign Code Ordinance.

- * **Recommendation:** Approve the proposed [ordinance](#) amending Title 23 (the Sign Code) of the San José Municipal Code:
- (a) To amend Chapter 23.02, Part 1, Definitions, to revise Section 23.02.010 Definitions Govern to add clarifying language; to add new Sections 23.02.232 Freeway Frontage, 23.02.465 Riparian Corridor, and 23.02.517 Special Sign Zone;

(Item continued on the next page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.4 Amendment to Title 23 Sign Code Ordinance. (Cont'd.)

Recommendation:

- (b) To amend Chapter 23.02, Part 2, General Provisions, to revise Section 23.02.860 Special Sign Zones to add a description of the North San José Signage Area;
- (c) To amend Chapter 23.04, Part 1, Commercial and Industrial Zoning Districts and Neighborhood Business Districts, to amend Section 23.04.010 Application to add North San José Signage Area to the zones governed by this Part; to amend Section 23.04.035 Freeway Signs to allow sites developed as Office/Research & Development in the North San José Signage Area to have Freeway Signs; and
- (d) To amend Chapter 23.04, Part 4, Residential, Agricultural and Open Space Zoning Districts, to amend Section 23.04.300 Application to revise the list of zones governed by this Part, to amend Section 23.04.320 Signs on Residential Parcels to increase the maximum allowable height of Free-standing Signs on multi-family residential Parcels in the North San José Signage Area; and
- (e) To make other nonsubstantive, ministerial, technical, or typographical changes to various Sections of said Chapters 23.02 and 23.04 of the Sign Code.

CEQA: Final Program Environmental Impact Report entitled, “North San José Area Development Policies Update Final Environmental Impact Report (SCH# 2004102067)” and Addendum thereto, File No. PP15-007. (Planning, Building and Code Enforcement)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Report on the San José-Santa Clara Regional Wastewater Facility Ten-Year Funding Strategy. - DEFERRED

Recommendation: Accept the staff report on the San José-Santa Clara Regional Wastewater Facility Ten-Year Funding Strategy. CEQA: Not a Project, File PP10-069(a), Staff Reports. (Environmental Services)
(Deferred from 3/24/15 – Item 7.1)

DEFERRED TO 5/19/15 PER ADMINISTRATION

7. ENVIRONMENTAL & UTILITY SERVICES

7.2 Wholesale Recycled Water Rates for FY 2015-2016.

Recommendation: Adopt a [resolution](#) to standardize the discount rate at \$105 per acre foot for the wholesale recycled water service rates for the South Bay Water Recycling Program effective July 1, 2015, superseding Resolution No. 76964. CEQA: Statutorily Exempt, File No. PP10-067(a), CEQA Guidelines Section 15273 - Rates, Tolls, Fares, and Charges. (Environmental Services)

7.3 South Bay Water Recycling Strategic Master Plan Report.

Recommendation: As recommended by the Transportation and Environment Committee on April 6, 2015:

- (a) Accept the South Bay Water Recycling Strategic and Master Plan report for near term reliability projects for the South Bay Water Recycling Program; and
- (b) Direct staff to evaluate opportunities to collaborate with the Santa Clara Valley Water District on the long term strategies identified in the Strategic and Master Plan report for portable reuse of recycled water.

CEQA: Not a Project, File No. PP10-069(a), Staff Reports. (Environmental Services)
[Transportation and Environment Committee referral 4/6/15 – Item D(3)]

7.4 Amendment to Title 15 Public Utilities Code Related to Water Conservation.

*** Recommendation:**

- (a) Adopt an [urgency ordinance](#) amending Chapter 15.10 of Title 15 of the San José Municipal Code by amending Sections 15.10.310, 15.10.330 and 15.10.360 and repealing Section 15.10.370 of Part 3 of Chapter 15.10 of Title 15 to replace the time of day landscape irrigation restrictions and prohibition on use of potable water for all outdoor landscape irrigation, with limited exceptions, that are triggered by a Council declaration of water shortage with a landscape and turf irrigation restriction of zero (0) to four (4) days per week, with the specific number of days, days per week and exceptions to the prohibition to be as set forth in a resolution adopted by City Council; to provide that the restriction related to swimming pool filling is triggered by a Council adoption of a resolution declaring thirty (30) percent or greater water shortage and to provide that after Council adoption of a resolution declaring a thirty (30) percent or greater water shortage, it shall be unlawful for any person to install new outdoor landscaping or turf during the months of May through October in an area with an overhead irrigation system, unless the overhead irrigation system is disconnected, removed or converted to drip irrigation, except for (a) installation of drought-tolerant or native plants, or plants or trees grown for consumption, or (b) installation that has been commenced prior to the date of the Council Resolution declaring the 30 percent water shortage pursuant to a development permit or building permit for which a landscape documentation package has been submitted to the City; to repeal Section 15.10.370 limiting outdoor irrigation after council declaration of a forty (40) percent water shortage; and setting forth the facts constituting such urgency.

(Item continued on the next page)

7. ENVIRONMENTAL & UTILITY SERVICES

7.4 Amendment to Title 15 Public Utilities Code Related to Water Conservation. (Cont'd.)

Recommendation:

- (b) Approve a [regular ordinance](#) amending Chapter 15.10 of Title 15 of the San José Municipal Code by amending Sections 15.10.310, 15.10.330 and 15.10.360 and repealing Section 15.10.370 of Part 3 of Chapter 15.10 of Title 15 to replace the time of day landscape irrigation restrictions and prohibition on use of potable water for all outdoor landscape irrigation, with limited exceptions, that are triggered by a Council declaration of water shortage with a landscape and turf irrigation restriction of zero (0) to four (4) days per week, with the specific number of days, days per week and exceptions to the prohibition to be as set forth in a resolution adopted by City Council; to provide that the restriction related to swimming pool filling is triggered by a Council adoption of a resolution declaring thirty (30) percent or greater water shortage and to provide that after Council adoption of a resolution declaring a thirty (30) percent or greater water shortage, it shall be unlawful for any person to install new outdoor landscaping or turf during the months of May through October in an area with an overhead irrigation system, unless the overhead irrigation system is disconnected, removed or converted to drip irrigation, except for (a) installation of drought-tolerant or native plants, or plants or trees grown for consumption, or (b) installation that has been commenced prior to the date of the Council Resolution declaring the 30 percent water shortage pursuant to a development permit or building permit for which a landscape documentation package has been submitted to the City; and to repeal Section 15.10.370 limiting outdoor irrigation after council declaration of a forty (40) percent water shortage.

CEQA: Exempt, File Nos. PP15-032 and File No. PP15-041. (Environmental Services)

7.5 [Declaration of a Citywide 25 Percent Water Shortage.](#)

- * **Recommendation:** Adopt a [resolution](#), to be in effect through March 31, 2016, declaring a water shortage of 25 percent citywide and limiting use of potable water for landscape and turf irrigation to two (2) scheduled days per week, except when watering by hand or by drip irrigation, or for maintenance of public parks, playing fields, day care centers, golf course greens, and school grounds, provided such irrigation is done in a water efficient manner, or for fire protection, soil erosion control, plants/trees grown for consumption, nursery/garden center plants for sale, and environmental mitigation projects. CEQA: Exempt, File No. PP15-032. (Environmental Services)

7.6 [Green Vision 2014 Green Vision Annual Report and 2015 Workplan.](#)

Recommendation: Approve the 2014 Green Vision Annual Report and 2015 Work Plan priorities and implementation framework. CEQA: Not a Project, File No. PP10-069(a), Staff Reports/Assessments/Annual Reports. (Environmental Services)

7. ENVIRONMENTAL & UTILITY SERVICES

7.7 [Clean Air Act Resolution.](#)

Recommendation: As recommended by the Rules and Open Government Committee on April 1, 2015:

- (a) Consider adoption of a [resolution](#) highlighting:
 - (1) The problems caused by greenhouse gases and global climate change;
 - (2) The significance of the Clean Air Act;
 - (3) The City's desire to curb greenhouse gases; and
 - (4) The City's support to utilizing the Clean Air Act to reduce greenhouse gases.
- (b) Direct the City Clerk to send the resolution to the President and Environmental Protection Agency.

CEQA: Not a Project, File No. PP10-069 City Organizational and Administrative Activities. (Perez/Jones/Kalra/ Matthews/Rocha)
[Rules Committee referral 4/1/15 – Item G(6)]

8. PUBLIC SAFETY SERVICES

8.1 [2014 Independent Police Auditor Year End Report.](#)

Recommendation: Accept the 2014 Independent Police Auditor Year End Report.

CEQA: Not a Project, File No. PP10-069(a), Staff Reports, Assessments and Annual Reports. (Independent Police Auditor)

**TO BE HEARD JOINTLY WITH ITEM 8.2 IMMEDIATELY FOLLOWING
CONSENT CALENDAR**

8.2 [San José Police Department Internal Affairs Department Initiated Investigation Report.](#)

Recommendation: Accept the San José Police Department's Internal Affairs Unit report on Department Initiated Investigations for CY 2014. CEQA: Not a Project, File No.

PP10-069(a), Annual Report. (Police)

**TO BE HEARD JOINTLY WITH ITEM 8.1 IMMEDIATELY FOLLOWING
CONSENT CALENDAR**

9. REDEVELOPMENT – SUCCESSOR AGENCY

- **Notice of City Engineer's Pending Decision on Final Maps**

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10303	Almaden Road, 500' south of Almaden Expressway	10	KCS Properties LLC	11 Lots/ 10 Units	SFD

- **Open Forum**

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

- **Adjournment**

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.